

ST. LOUIS POST-DISPATCH (MO)
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Mr. Casey Vs. The Press

A CIA Director William Casey is on the warpath; he wants criminal prosecution of news organizations for allegedly publishing classified data. Although the Justice Department is quoted as saying that "cooler heads will prevail," this effort to punish the press is, sadly, in keeping with the Reagan administration's past actions.

The CIA director is reportedly angry over leaks about U.S. interceptions of Libyan communications that tied Col. Khadafy's agents directly to the West Berlin disco bombing. Mr. Casey is particularly outraged with *The Washington Post*, which quoted the messages and listed details on the intercepts, thus allowing the Libyans to pinpoint which codes the United States had managed to compromise. In Mr. Casey's mind, the *Post* is in direct violation of a little-used 1950 law that makes it a felony to publish information about cryptographic systems and code-breaking activities, even though this particular law has never been used to prosecute a news organization for revealing such data.

What is ironic is that the *Post* story was a follow-up article on President Reagan's television speech announcing the U.S. bombing of Libya. Mr. Reagan cited "direct" and "precise" evidence of messages between Tripoli and the Libyan People's Bureau in East Berlin ordering the disco bombing. One would assume that Libyan intelligence would be smart enough to conclude from Mr. Reagan's remarks which of its codes had been broken.

Mr. Casey reportedly has a secondary agenda in his current anti-press campaign: He wants to intimidate *The Washington Post* from publishing a story on Ronald Pelton, a former employee of the code-breaking National Security Agency who was arrested last November on charges of spying for the Soviets. The *Post* allegedly has classified information on the case, and Mr. Casey wants legal action against the paper if it publishes the information.

Whether to reveal sensitive information in a news story is a tough judgment call for editors and reporters; the use of such information is generally decided on a case-by-case basis. Also, there is no question that some information is legitimately classified and should be kept secret in the name of national security. That said, however, Mr. Casey's suggestions for criminal prosecution seem to be an end run to establish a de facto, British-style "Official Secrets Act," which could prevent the publication of any so-called top secret material. That would represent an effort to undermine the First Amendment's freedom of the press.

The details about intercepted Libyan messages and information about the Pelton case more than likely were leaked by very high sources within the administration rather than by some low-level staffer. (The director knows that the U.S. ship of state is the only ship that leaks from the bridge.) If Mr. Casey wants to stop this flow of secret material, he should start at the top and not attempt to silence the press.